

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

AMERIPRIDE SERVICES, INC.,  
A Delaware Corporation,

Plaintiff,

No. CIV S-00-0113 LKK JFM

vs.

(Consolidated)

VALLEY INDUSTRIAL SERVICE, INC.,  
a former California corporation, et al.,

Defendants.

ORDER

\_\_\_\_\_  
HUHTAMAKI FOODSERVICE, INC.,

Plaintiff,

vs.

AMERIPRIDE SERVICES, INC., et al.,

Defendants.

\_\_\_\_\_  
Plaintiff Huhtamaki's April 14, 2006 motion to compel further response to request for production came on regularly for hearing May 11, 2006. Plaintiff Huhtamaki was represented by Stephen J. Darmody and John Nelson. Lee N. Smith and Scott Kaplan appeared for defendant AmeriPride. Bob Shannon appeared for Mission Linen Supply. Upon review of the motion and

1 the documents in support and opposition, upon hearing the arguments of plaintiff and counsel  
2 and good cause appearing therefor, THE COURT FINDS AS FOLLOWS:

3 Counsel agreed to resolve this dispute by issuance of the following order:  
4 Defendant AmeriPride shall produce the materials sought by close of business May 15, 2006 or,  
5 if the materials sought are not in AmeriPride's possession or subject to AmeriPride's control,  
6 AmeriPride shall file a declaration, signed under penalty of perjury, from a responsible official of  
7 AmeriPride, stating the items sought are not in AmeriPride's custody or subject to AmeriPride's  
8 control.

9 Good cause appearing, THE COURT ORDERS AS FOLLOWS:

10 1. Plaintiff Huhtamaki's April 14, 2006 motion to compel further response to  
11 request for production is partially granted; and

12 2. Defendant AmeriPride shall produce the materials sought by close of business  
13 May 15, 2006 or, if the materials sought are not in AmeriPride's possession or subject to  
14 AmeriPride's control, AmeriPride shall file a declaration, signed under penalty of perjury, from a  
15 responsible official of AmeriPride, stating the items sought are not in AmeriPride's custody or  
16 subject to AmeriPride's control.

17 DATED: May 15, 2006.

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UNITED STATES MAGISTRATE JUDGE

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